

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

MICHAEL T. FLYNN,

Defendant

Crim No.: 17-232 (EGS)

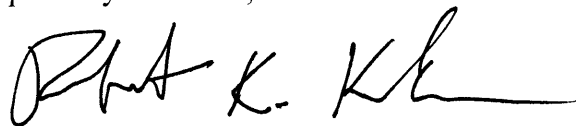
**MOTION FOR LEAVE TO FILE NOTICE
REGARDING TRANSFER OF CASE FILE TO NEW COUNSEL**

Covington & Burling LLP, former counsel to Defendant Michael T. Flynn, respectfully requests leave to file a Notice Regarding Transfer of Case File to Defendant's New Counsel.

The proposed Notice, which is attached, provides information to the Court regarding the status of Covington's transfer of its file of its representation of General Flynn.

July 25, 2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. K. Kelner', with a long horizontal flourish extending to the right.

Robert K. Kelner (D.C. Bar No. 466880)
Stephen P. Anthony (D.C. Bar No. 426536)
Covington & Burling LLP
One City Center
850 Tenth Street, NW
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(202) 662-6000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of July 2019, I caused the foregoing to be sent by electronic mail and by certified mail to the following:

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[PROPOSED] ORDER

Upon consideration of Covington & Burling LLP's Motion for Leave to File Notice Regarding Transfer of Case File to New Counsel, it is hereby

ORDERED that the Motion is GRANTED; and it is further

ORDERED that Covington & Burling LLP's Notice of Transfer of Case File to New Counsel is deemed filed in the above-captioned proceeding.

SO ORDERED.

_____, 2019

The Honorable Emmet G. Sullivan
United States District Judge

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**COVINGTON & BURLING LLP'S NOTICE REGARDING
TRANSFER OF CASE FILE TO DEFENDANT'S NEW COUNSEL**

Covington & Burling LLP ("Covington") submits this Notice to inform the Court that the firm's transfer of its case file to General Flynn's new counsel is now complete.

Undersigned counsel take very seriously the obligation to protect the interests of a client in connection with any termination of a representation. Within days of the termination of its representation of General Flynn, before his new counsel filed appearances in the case, Covington transferred to new counsel the entirety of the working case file shared by the lawyers engaged on the matter. This working case file (comprising documents held in a limited access, shared network drive, along with other documents stored in the firm's document management system) included pleadings, interview notes, legal and factual memoranda, documents collected from the client and received from others, Congressional subpoenas and correspondence, documents previously produced to Congress, to the Department of Justice, and to counsel for Bijan Rafiekian, documents produced by the Special Counsel's Office under the Court's discovery Order of February 16, 2018, and many other categories of documents.

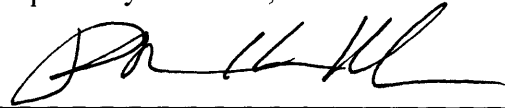
Once it had turned over that working case file, Covington turned to the task of collecting, reviewing, and transferring all remaining documents and communications related in any way to

the firm's representation of General Flynn. This task, unlike the handing over of a discrete case file, entailed identifying and collecting a large body of emails, text messages, handwritten notes, time records, voicemails, hard-copy documents, and other records identified during the firm's collection process. In the course of this process, Covington communicated with new counsel about the prioritizing and sequencing of categories of documents, and it also responded to new counsel's specific document and information requests as they arose. More broadly, the turnover of the client file was part of a larger process that included Covington's meeting and speaking with new counsel to provide extensive briefings on the background and status of the matter. The firm never, in any way whatsoever, conditioned the transfer of files to General Flynn's new counsel on payment of outstanding fees.

Now that transfer of the records has been completed, undersigned counsel are prepared to furnish the Court (either under seal or on the public docket, in the discretion of the Court) with a report regarding the circumstances of the file transfer and the steps undertaken to complete that process, should the Court wish to receive that information in advance of the August 27 status conference.

July 25, 2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Kelner', written over a horizontal line.

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